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11 Attorneys for Defendant  
12 LUMBER LIQUIDATORS, INC.

13  
14 UNITED STATES DISTRICT COURT  
15  
16 FOR THE NORTHERN DISTRICT OF CALIFORNIA

17 CRELENCIO CHAVEZ and JOSE  
18 ZALDIVAR, an individual and on behalf  
of all others similarly situated,

19 Plaintiffs,

20 vs.

21 LUMBER LIQUIDATORS, INC. a  
Delaware Corporation; and DOES 1  
through 20, inclusive,

22 Defendants.

23 CARLOS ALVA, ET AL.

24 Plaintiff(s),

25 vs.

26 LUMBER LIQUIDATORS, INC.

27 Defendant(s).

28 Case No. C-09-04812 SC

**JOINT STIPULATION AND [PROPOSED]  
ORDER TO CONTINUE THE MEDIATION  
COMPLETION DEADLINES AND STATUS  
CONFERENCE**

No. C-12-4383 SC

1 Pursuant to Civil Local Rules 6-1 and 6-2, Plaintiff Jose Zaldivar and the Class Members  
 2 ("Plaintiffs") and Defendant Lumber Liquidators, Inc. ("Defendant") (collectively, the "Parties"),  
 3 by and through their respective counsel of record, hereby stipulate to continue the following  
 4 deadlines:

5 May 9, 2013: Deadline to complete private mediation of plaintiff/non-class member  
 6 claims;

7 May 9, 2013: Deadline to complete court-sponsored mediation of class member claims;  
 8 and

9 June 7, 2013: Court Status Conference.

10 The Parties represent and agree as follows:

11 WHEREAS, in an Order dated February 8, 2013 (Docket No. 111), the Court referred the  
 12 claims of the individual plaintiffs (Crelecio Chavez, Jose Zaldivar; Carlos Alva, Andrew Owens,  
 13 Joel Villasenor, Rene Rodriguez and Jason Mcmillan) to private mediation and the claims of  
 14 Plaintiff Zaldivar and the class members to court-sponsored mediation.

15 WHEREAS, pursuant to ADR Local Rule 3-6, unless otherwise ordered, the private  
 16 mediation and court-sponsored mediation must be held by May 9, 2013 (within 90 days after the  
 17 entry of an order referring the case to a specific ADR process).

18 WHEREAS, the Court has scheduled a status conference on June 7, 2013.

19 WHEREAS, the Parties have been working cooperatively and diligently to schedule the  
 20 court-sponsored mediation of class member claims on a date mutually available to all Parties and  
 21 the Court-appointed Mediator, Richard S. Whitmore and to select a mutually agreeable private  
 22 mediator for the mediation of the individual plaintiff/non-class member claims.

23 WHEREAS, Defendant's General Counsel who will attend both mediations on behalf of  
 24 Defendant is traveling from the East Coast and no dates prior to May 9, 2013 are mutually  
 25 available for the Plaintiffs' counsel, the mediator and Defendant's General Counsel.

26 WHEREAS, the Parties have agreed to court-sponsored mediation of the class claims on  
 27 Tuesday, May 21, 2013, which has been confirmed by the Court's ADR office pending approval  
 28 by the Court.

1        WHEREAS, the Parties anticipate completing private mediation of the non-class member  
2 claims by June 28, 2013.

3        WHEREAS, continuing the mediation deadline and the Status Conference will not affect  
4 the schedule for the case because, other than the June 7, 2013 Status Conference, there are no  
5 other events or deadlines on calendar for either of the related cases.

6        THEREFORE, IT IS HEREBY STIPULATED by and between Plaintiffs and Defendant  
7 that the Court continue the existing mediation deadlines and Status Conference and order the  
8 following:

9              May 21, 2013: Deadline to complete court-sponsored mediation of class member claims

10             June 28, 2013: Deadline to complete private mediation of individual plaintiff/non-class  
11 member claims

12             July 26, 2013: Court Status Conference

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1 IT IS SO STIPULATED  
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3 Dated: April 16 2013

TAFOYA & GARCIA LLP

4 By \_\_\_\_\_  
5 David A. Garcia

6 Attorneys for Plaintiffs Class Members,  
7 Crelencio Chavez, Jose Zaldivar  
8 Carlos Alva, Andrew Owens, Joel Villasenor,  
9 Rene Rodriguez and Jason Mcmillan

10 Dated: April 15, 2013

MORGAN, LEWIS & BOCKIUS LLP

11 By Jennifer Svanfeldt  
12 Eric Meckley  
13 Jennifer Svanfeldt

14 Attorneys for Defendant  
15 Lumber Liquidators, Inc.

16 PURSUANT TO STIPULATION, IT IS SO ORDERED.  
17

18 Dated: 04/17/2013

19   
The Honorable Samuel Conti  
United States District Court Judge

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